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Express Mail No. EV3358520US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robert D'Amato Confirmation No.: 9168  
Serial No.: 10/026,037 Art Unit: 1614  
Filed: December 19, 2001 Examiner: Jerome D. Goldberg  
For: Methods and Compositions for the Attorney Docket No.: 9516-130-999  
Inhibition of Angiogenesis with EM- (Formerly 05213-  
138 0652 (43170-  
266942))

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JUL 02 2003

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TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Your Petitioner, **Anthony M. Insogna**, represents that he holds the position of **partner** at the **law firm of Pennie & Edmonds LLP**, the attorneys of record for the present application.

The Petitioner states that **The Children's Medical Center Corporation** is the assignee of the entire **100%** right, title and interest in and to the above-identified application (which is a continuation of Application No. 09/545,139, filed April 27, 2000) by virtue of assignments which were recorded on **November 4, 1993** at reel **6756** frame **0429**; **February 10, 1994** at reel **6890** frame **0389**; **May 12, 1995** at reel **7502** frame **0289**; and **November 25, 1997** at reel **8820** frame **0455**.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent 6,228,879 which issued on May 8, 2001 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,228,879.

Petitioner further agrees that this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,228,879 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is

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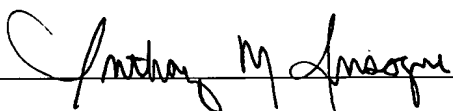
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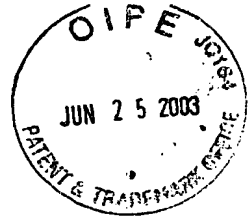
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empowered to act on behalf of **The Children's Medical Center Corporation**.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 25 day of June, 2003.

By:   
Name: Anthony M. Insogna  
Registration No. 35,203



06-27-03

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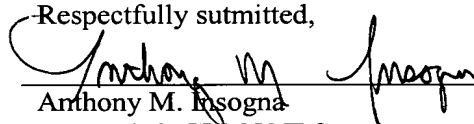
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The fee for processing the attached Terminal Disclaimer is believed to be \$110.00. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is attached for accounting purposes.

Date: June 25, 2003

Respectfully submitted,



Anthony M. Insogna  
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35,203  
(Reg. No.)